



STATE OF WASHINGTON

## **2011 Washington State Adult Sentencing Guidelines Manual Revisions**

### 2011 Manual Revisions and Errata

Although we have made every effort to produce an “error free” manual, it is inevitable that errors and omissions will be found after release of the manual. This document details revisions that have been made since the initial release of the 2011 manual.

The official “publication date” of the 2011 manual is December 30, 2011. The second page of the manual (pdf and bound editions) will display a “version date” (e.g., “Version 20120115”). Users may use this date to determine whether a particular pdf or bound version of the manual includes corrections described below. Our website will always have the most recent version available for download and any purchased bound edition will always be the most recent version available.

We appreciate being notified ([Kathleen.Turnbow@cfc.wa.gov](mailto:Kathleen.Turnbow@cfc.wa.gov)) of any errors/omissions users may note in the manual.

If you would like to be added to an email list that we will use to alert users of manual revisions, please email us ([Kathleen.Turnbow@cfc.wa.gov](mailto:Kathleen.Turnbow@cfc.wa.gov)).

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Caseload Forecast Council

## 2011 Sentencing Manual

The 2011 Adult Felony Sentencing Manual reflects some major revisions from the last full revision of the manual in 2008.

Changes in the new 2011 manual:

- All scoring forms are in alphabetical order under Section 7. Previously, the controlled substance and imitation controlled substance scoring forms were listed separately from the non-controlled substance scoring forms.
- On the standard sentencing grid, the mid-range value is now represented in months. In prior versions, the standard range was in months while the mid-range value was in years/months. This change also applies to the standard grids prior to the grid currently in effect.
- There is one grid for anticipatory sentence ranges for the current standard sentencing grid. In prior manuals, one grid showed 75% of the lower range and a separate grid showed 75% of the upper range. They have been combined into one grid in 2011.
- Mid-range values were added to the Drug Sentencing Grid. These are also represented in months.
- A Drug Sentencing Grid – Solicitations has been added. This grid shows 75% of the drug grid ranges for solicitations.
- Several additional 'offense' lists were created. Those include:
  - statutory drug offenses
  - two-strike offenses
  - crime against person offenses
  - pattern of criminal street gang activity offenses
  - registrable offenses
  - unranked offenses
  - mandatory remand offenses
  - the felony index sorted by offense class and statute (it has been available only by offense name in the past)
- Quick reference sheets were added for sentencing alternatives, sentencing enhancements and community custody lengths by offense type.
- Felony offense scoring form major changes:
  - If the classification of the offense changes when the offense is an anticipatory, it is noted on the original scoring form instead of as a separate scoring form.
  - More general scoring forms have been created, although they still do not encompass all possible scenarios.
  - Similar offenses that share the same scoring rules and same standard sentence range have been combined onto one scoring form.

What you will not see in the 2011 manual:

- The 9.94A and 9.94B RCWs that were located in Section II of the 2008 and prior manuals have been removed. The current RCWs are available on the legislature's website ([www.leg.wa.gov](http://www.leg.wa.gov)).
- The statute of limitations is no longer specifically listed on the scoring form, although the offense classification is still located at the top of the form on which the statute of limitations is based.

## 2011 Washington State Adult Sentencing Guidelines Manual: Revisions and Errata

### Version 20120115 Revisions (revisions of copies with no Version date)

- Correction of page references on multiple scoring sheets.
- Addition of section on SSOSA.
- Correction of “midpoint” of the range for the Seriousness Level II/Score 3-5 “20+ - 60” cell on the Drug Grid (revised from “80” to “40”) – e.g., page 53 in manual. Corrected on multiple drug offense scoring sheets as well.

### Version 20120201 Revisions

Repetitive domestic violence offenses are by definition non-felonies (RCW 9.94A.030(41)). The score sheet wording was revised for sheets referencing repetitive domestic violence offenses, replacing “felony” with “offense” on the affected score sheets (pages 174, 175, 177, 179, 180, 182, 183, 185 and 186).

#### **Old wording:**

Enter number of other repetitive domestic violence felony convictions plead and proven after 8/1/11..... \_\_\_\_\_ x 1 = \_\_\_\_\_

#### **Revised wording:**

Enter number of other repetitive domestic violence offense (RCW 9.94A.030(41)) convictions plead and proven after 8/1/11..... \_\_\_\_\_ x 1 = \_\_\_\_\_

### Version 20120521 Revisions

1. Updated CFC contact information.
2. Corrected page heading page 62 from “RCW 9.94.030(46)” to “RCW 9.94A.030(46)”
3. Removed note at bottom of page 63 “Attempt, Solicitation or Conspiracy to commit a class A felony”
4. Added note to bottom of page 63: “Attempt, solicitation or conspiracy to commit any Class A or B felony listed above. An attempt, solicitation or conspiracy to commit a Class C felony above is a gross misdemeanor (RCW 9A.28-020-040) and, therefore, not a sex offense [RCW 9.94A.030(46) requires a crime to be a felony in order to be a sex offense].”
5. Revised note at bottom of page 63 from “Any federal or out-of-state conviction for an offense that, under the laws of this state, would be a felony classified as a serious violent offense.” to “Any federal or out-of-state conviction for an offense that, under the laws of this state, would be a felony classified as a sex offense under 9A.44 other than 9A.44.132.”
6. Corrected page heading page 65 from “RCW 9.94.030(32)” to “RCW 9.94A.030(32)”